

REMARKS

In view of the following remarks, reconsideration of the rejections and further examination are respectfully requested.

Claims 26-30, 32, 33, 36, 38-42 and 46-50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Russo et al. (US 2003/30115490), Croome et al. (U.S. 2004/0014423), Shirai (U.S. 6,763,249) and Hastings et al. (U.S. 6,370,629). Further, claims 31, 37, 43 and 45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Russo, Croome, Shirai, Hastings and Fujii (U.S. 6,832,721). Claims 34, 35 and 44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Russo, Croome, Shirai, Hastings and Bishop (U.S. 2002/0065106). These rejections are respectfully traversed for the reasons discussed below.

Amended independent claim 26 recites a portable apparatus including, in part, a judgment unit, and a reception unit. Further, claim 26 recites that upon the detection of a connection of the portable apparatus to a terminal apparatus, the judgment unit is configured to (1) obtain a time difference, which is a difference between a time at which the connection was detected and a prestored time at which a prior connection was detected, wherein the time at which the connection was detected is obtained from the terminal apparatus, and wherein the prestored time at which the prior connection was detected is a time previously obtained, and (2) obtain a place difference, which is a difference between a place at which the connection was detected and a prestored place at which a prior connection was detected, wherein the place at which the connection was detected is obtained from the terminal apparatus, and wherein the prestored place at which the prior connection was detected is a place previously obtained.

Finally, claim 26 recites that (3) the reception unit is configured to request authentication information from the user of the portable apparatus if the judgment unit judges that one or both of the obtained time/place difference is greater than or equal to a predetermined value.

Initially, it is noted that Russo, as acknowledged by the Examiner, does not disclose or suggest the features of the judgment unit, as required by claim 26. Thus, the rejection relies on (i) Croome for teaching the obtaining of a time difference, as required by claim 26, (ii) Shirai for teaching storing the time of a prior connection, as required by claim 26 and (iii) Hastings for judging the current time and location with pre-stored values, as required by claim 26. It is respectfully submitted that Russo in combination with Croome, Shirai and Hastings does not disclose or suggest the above-mentioned features (1)-(3) as recited in independent claim 26.

Rather, Hastings teaches that a current position/time of a user is obtained, and that the current position/time of the user is compared with a policy 155 applied to the file(s) 144 of which the user is attempting to access (see col. 5, lines 52-56). Further, Hastings teaches that “if the user’s actual geographic position and the current date and time are within the authorized geographic region and the authorized date/time corresponding to the user password 150, then the user can access the selected files” (see col. 4, lines 36-39, and table 1 identifying, for example, authorized Geographic Regions L1 and L3). In other words, Hastings teaches that a pre-determined geographical region is set for the purpose of determining whether or not the user is within the pre-determined region when attempting to access the files.

Thus, in view of the above, it is clear that Hastings teaches that, if the user is located within a pre-determined authorized geographic region, then the user can access the files, but fails to disclose or suggest (1) obtaining a time difference, which is a difference between a time at

which the connection was detected and a prestored time at which a prior connection was detected, wherein the time at which the connection was detected is obtained from the terminal apparatus, and wherein the prestored time at which the prior connection was detected is a time previously obtained and (2) obtaining a place difference, which is a difference between a place at which the connection was detected and a prestored place at which a prior connection was detected, wherein the place at which the connection was detected is obtained from the terminal apparatus, and wherein the prestored place at which the prior connection was detected is a place previously obtained, as required by claim 26. Further, it is clear that Hastings fails to disclose or suggest requesting authentication information from the user of the portable apparatus if the judgment unit judges that one or both of the obtained time/place difference is greater than or equal to a predetermined value, as recited in claim 26.

In other words, Hastings teaches comparing a predetermined location/boundary with a current location and time (i.e., spacial location of user), but fails to disclose or suggest comparing a stored place/time of a prior connection to a current place/time of a user attempting a connection (i.e., moving distance of user), as required by claim 26.

In addition, it is noted that, according to Hastings, if a third party illegally acquires the computer system, the third party can still access the information if the current position of the third party is within the pre-determined geographic region. However, according to claim 26, the distance/time of movement of the third party is compared to information relating to a prior distance/time of connection of the device, thus, requiring authentication in a circumstance where the third party user remains in the same geographic region, but has moved a sufficient distance to warrant the authorization. Therefore, it is clear that the security feature of Hastings is different

from the security feature of claim 26.

Croome, which was relied on for teaching the “time difference” as recited in claim 26, teaches establishing a wireless connection between a wireless notebook and a stationary desktop, wherein the wireless notebook monitors and stores past and present wireless connection times of the wireless notebook and/or the stationary desktop (see paragraph [0116], lines 2-4). Further, Croome teaches that the wireless notebook (i.e., the portable device) judges whether a password is required from the stationary desktop by determining whether a non-membership period (i.e., a period of no network connection between portable device and stationary desktop) of the stationary desktop exceeds a predetermined time period (see paragraph [0116], lines 11-14).

Thus, it is clear that Croome teaches that the wireless notebook (i.e., portable device) monitors and stores the past and present connection times, but does not disclose or suggest that the judgment unit of the portable apparatus obtains the time (that the connection was detected) from the terminal apparatus, as required by claim 26. In other words, Croome teaches that the portable device itself monitors the connection times, but does not disclose or suggest that the connection time obtained by the portable apparatus is obtained from the terminal apparatus, as required by claim 26.

Further, it is clear that Croome teaches that the portable device judges whether a password is required from the user of the stationary desktop, but does not disclose or suggest that the reception unit of the portable apparatus requests an authentication from the user of the portable apparatus, as required by claim 26. In other words, Croome teaches that the portable device authenticates the user/password from the stationary desktop, but does not disclose or suggest that the portable device authenticates a user of the portable device, as recited in claim

26.

Moreover, as a result, the invention of Croome would allow a third party who obtained the portable device without authorization to use the portable device with a different stationary device not having a security mechanism (i.e., use by the third party will be prohibited). On the other hand, claim 26 requires that the portable device itself performs the judgment of whether or not the user will be permitted to use the portable device, thereby prohibiting use of the portable device by the third party if the portable device itself does not authenticate the third party. Thus, it is apparent that claim 26 requires a user authorization in a different type of situation than that disclosed by Croome.

In addition, it is clear that Croome teaches that connection times are monitored and stored by the portable device, but does not disclose or suggest obtaining a place at which the connection was detected, as required by claim 26. Therefore, for the reasons discussed above, it is clear that Croome does not disclose or suggest the above-mentioned features of the judgment unit and the reception unit recited in claim 26.

The Shirai reference, cited by the Examiner for teaching storing connection times, teaches that a cellular phone stores insertion/removal information each time a SIM card is inserted/removed from the cellular phone (see col. 5, lines 45-55), wherein the insertion/removal information is obtained from the cellular phone, wherein the insertion/removal information is stored in the memory of the cellular phone, wherein the stored insertion/removal information may only be date or time information, and wherein the stored insertion/removal information is merely displayed on a screen of the cellular phone (see col. 3, lines 41-45).

Thus, it is clear that Shirai does not disclose or suggest the portable apparatus which

obtains and stores the time of the connection from the terminal apparatus (i.e., one device obtains and another device stores), as required by claim 26. Further, it is clear that Shirai does not disclose or suggest obtaining and storing a place at which the connection was detected, as required by claim 26. In addition, it is apparent that Shirai fails to disclose or suggest that the stored information is used for any type of judgment for authentication, as recited in claim 26.

Therefore, for the reasons discussed above, it is clear that Shirai does not disclose or suggest the above-mentioned features of the judgment unit and the reception unit recited in claim 26.

Furthermore, Russo, Croome, Shirai and Hastings, individually or collectively, do not suggest the above-discussed limitations of claim 26. Therefore, it would not have been obvious to one of ordinary skill in the art to modify the above-mentioned references so as to obtain the invention of claim 26. Accordingly, it is respectfully submitted that independent claim 26 and claims 27-37 and 50 which depend therefrom are clearly allowable over Russo, Croome, Shirai and Hastings.

Fujii and Bishop were cited for teaching various features of claims 31, 34, 35, 37, 43, 44 and 45. However, Fujii and Bishop also do not disclose or suggest any of the above-discussed features of independent claim 26 which are lacking from Russo, Croome, Shirai and Hastings. As a result, the above-mentioned references, individually or collectively fail to disclose or suggest each feature recited in independent claim 26.

Independent claims 38, 46, 48, and 49 are directed to a system, terminal, method, and program, respectively, which each recite features that are similar to the above-described distinguishing features of independent claim 26 (e.g., judging). Thus, for reasons similar to

those discussed above, it is respectfully submitted that independent claims 38, 46, 48, and 49 and the claims that depend therefrom are allowable over Russo, Croome, Shirai, Hastings, Fujii and Bishop.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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